

REMARKS

Claims 1-8 are pending in this application, of which claims 4-8 have been withdrawn.

By this Amendment, claim 1 is amended.

The courtesies extended to Applicant's representative by Examiner Arancibia at the interview held February 13, 2007, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

The Office Action (i) rejects claims 1-2 under 35 U.S.C. §102(b) over U.S. Patent No. 6,234,623 to Drake and (ii) rejects claim 3 under 35 U.S.C. §103(a) over Drake in view of U.S. Patent No. 4,618,554 to Poleshuk. Applicant respectfully traverses the rejections.

As argued at the personal interview regarding independent claim 1, Drake fails to disclose forming a plurality of first passages. While the Office Action alleges that ink manifold 45 corresponds to the claimed first passages, more than one ink manifold 45 is only present on the undiced wafer shown in Fig. 5A. After the wafer is diced into multiple printhead die, each ink jet die only contains one ink manifold 45. Claim 1 recites "such that particles having a size greater than that which can pass through the third passages are filtered from the fluid when the fluid flows through the first passages, into and through the third passages and into the second passages." Once Drake's internal ink filters are formed (after the wafer is diced), the filter on each die is associated with only one ink manifold 45. Drake's ink filters only receive fluid after the wafer has been diced. Thus, when the fluid is filtered by one of Drake's ink filters, only one ink manifold 45 is involved. Moreover, the ink manifold 45 does not function as a filter.

Thus, regarding claim 1, Drake fails to disclose "placing the first and second substrates adjacent to each other, such that the plurality of third passages extend between the first and second passages and fluidly connect the first and second passages such that particles

having a size greater than that which can pass through the third passages are filtered from the fluid when the fluid flows through the first passages, into and through the third passages, and into the second passages." Applicant maintains that the claims are patentable over Drake.

However, agreement at the personal interview was not forthcoming. Thus, to further prosecution, claim 1 is amended by this Amendment to recite that the internal filter comprises the plurality of first, second, and third passages.

While Examiner Arancibia asserted at the personal interview that the ink manifolds 45 on the wafer shown in Fig. 5A correspond to the first passages, there is only one ink manifold 45 per channel plate 31 (Figs. 5A and 5B). Even if the two substrates, one containing multiple channel plates 31 and the other containing multiple heater plates 28, are bonded together before being diced apart, such a combined multi-ink filter structure would be inoperable before being diced apart. As shown in Figs. 1-3, the droplet emitting nozzles 27 exit from between channel plate 31 and heater plate 28, thus even if the alleged undiced multi-ink filter structure was used in an attempt to filter fluid, it would not work because the fluid would not be able to exit the individual ink filters because the exits of droplet emitting nozzles 27 would be blocked prior to the wafer being diced.

For the foregoing reasons, Applicant respectfully requested withdrawal of the rejections.

Claims 1-3 are rejected under the doctrine of non-statutory obviousness-type double patenting over claim 1 of U.S. Patent Application No. 10/707,535 (now U.S. Patent No. 7,172,076).

However, Applicant has filed a Terminal Disclaimer disclaiming any patent term beyond the patent term of U.S. Patent No. 7,172,076 adjusted for any patent term extensions. Applicant respectfully requests withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-8 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:JHB/ccs

Attachment:
Terminal Disclaimer

Date: February 21, 2007

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